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Date: October 6, 2005

To: Laura M. Schillinger - 2813

Location: United States Patent and Trademark Office

Fax No.: 571-273-8300

From: Michael J. Balconi-Lamica- 34,291

Subject: 10/687,271- Olubunmi O. Adetutu et al.

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ALL ITEMS MARKED WITH AN "X" ARE INCLUDED:

1.	x	1 page Facsimile Cover Sheet
2.	x	3 page Information Disclosure Statement
3.	x	2 page Form PTO/SB/08 with References BG-BK

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SC12752TP

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants:	Olubunmi O. Adetutu et al.	Group Art Unit:	2813
Application No.:	10/687,271	Examiner:	Laura M. Schillinger
Date Filed:	October 16, 2003	Docket No.:	SC12752TP
Title:	MULTI-LAYER DIELECTRIC CONTAINING DIFFUSION BARRIER MATERIAL		

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Commissioner for Patents
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SIR:

In accordance with 37 C.F.R. §1.56 and in compliance with 37 C.F.R. §§1.97 and 1.98, the references listed on attached Form PTO/SB/08 and/or subsequently identified herein, are being submitted herewith for consideration by the United States Patent and Trademark Office.

I. COPIES

- a. ☒ A legible copy of (i) each foreign patent; (ii) each publication or that portion which caused it to be listed; and (iii) all other information or that portion which caused it to be listed, is included herewith.
- b. ☐ Any patents, publications or other information which are listed on PTO/SB/08 which are not enclosed herewith were previously cited by or submitted to the PTO in one of the following applications which has been relied upon for an earlier filing date under 35 U.S.C. §120:

U.S. Serial NumberU.S. Filing Date

II. CONCISE EXPLANATION OF THE RELEVANCE (check at least one box)

- a. ☒ Except as may be indicated below in (b) of this section, all of the patents, publications or other information are in the English language (concise explanation not required).
- b. ☒ A concise explanation of the relevance of all patents, publications or other information listed that is not in the English language is as follows: An English abstract is provided for Reference BG
- c. ☐ The following additional information is provided for the Examiner's consideration:

III. ☐ CROSS REFERENCE TO RELATED APPLICATION(S)

The Examiner is advised that the following co-pending application(s) contain(s) subject matter that may be related to the present application. By bringing this (these) applications to the Examiner's attention, Applicant(s) does(do) not waive the confidentiality provisions of 35 U.S.C. §122.

Serial No.Filing DateArt Unit

SC12752TP

FEES

- IV. ☒ THIS IDS IS BEING FILED UNDER 37 C.F.R. §1.97(b): (check one box)
- a. ☐ within three months of the filing date of a national application other than a continued prosecution application under § 1.53(d) (37 C.F.R. §1.97(b)(1)). No fee or statement is required.
 - b. ☐ within three months of the date of entry of the national stage as set forth in § 1.491 in an international application (37 C.F.R. §1.97(b)(2)). No fee or statement is required.
 - c. ☒ before the mailing date of a first Office Action on the merits (37 C.F.R. §1.97(b)(3)). No fee or statement is required.
 - d. ☐ before the mailing date of a first Office Action after the filing of a request for continued examination under § 1.114 (37 C.F.R. § 1.97(b)(4)). No fee or statement is required.
- V. ☐ THIS IDS IS BEING FILED UNDER 37 C.F.R. §1.97(c): (check one box)
before the mailing date of any of a Final Office Action under 37 C.F.R. §1.113, a Notice of Allowance under 37 C.F.R. §1.311, or an action that otherwise closes prosecution in the application (See 37 C.F.R. §1.97(c)).
- a. ☐ No statement; therefore, charge Deposit Account 503079 the fee set forth in 37 C.F.R. §1.17(p).
 - b. ☐ See the statement below. No fee is required.
- VI. ☐ THIS IDS IS BEING FILED UNDER 37 C.F.R. §1.97(d):
on or before payment of the issue fee and is accompanied by the following:
- 1) a statement under 37 C.F.R. §1.97(e) as provided below; and
 - 2) charge Deposit Account 503079 the petition fee set forth in §1.17(p).
- VII. ☐ STATEMENT UNDER 37 C.F.R. §1.97(e) (check only one box, if applicable)
The undersigned hereby states that
- a. ☐ each item of information contained in the IDS was cited in a communication from a foreign Patent Office in a counterpart foreign application not more than three months prior to the filing of IDS; or
 - b. ☐ no item of information contained in the IDS was cited in a communication from a foreign Patent Office in a counterpart foreign application, and to knowledge of the person signing the statement after making reasonable inquiry, no item of information contained in the IDS was known to any individual designated in 37 C.F.R. 1.56(c) more than three months prior to the filing of this statement, or
 - c. ☐ some of the items of information contained in the IDS were cited in a communication from a foreign Patent Office. As to this information, the undersigned states that each item of information contained in the IDS was cited in a communication from a foreign Patent Office in a counterpart foreign application not more than three months prior to the filing of this IDS. As to the remaining information, the undersigned hereby states that no item of this remaining information contained in the IDS was cited in a communication from a foreign Patent Office in a counterpart foreign application or, to the knowledge of the person signing the statement after making reasonable inquiry, no item of information contained in the IDS was known to any individual designated in 37 C.F.R. 1.56(c) more than three months prior to the filing of this statement.
- VIII. PAYMENT OF FEES
- ☐ A check in the amount of _____ is enclosed for the above-identified fee(s).
 - ☐ Please charge Deposit Account No. 503079, **Freescale Semiconductor, Inc.** in the amount of \$180.00 for the above-indicated fee(s).
 - ☒ If Applicant has overlooked any additional fees, or if any overpayment has been made, the Commissioner is hereby authorized to credit or debit Deposit Account 503079, **Freescale Semiconductor, Inc.**
 - ☐ Two Copies of this paper are attached for Deposit Account charges and debits.

The above references are being cited only in the interests of candor and without any admission that they constitute statutory prior art or contain matter which anticipates the invention or which would render the same obvious, either singly or in a combination, to a person of ordinary skill in the art.

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If the Examiner has any questions concerning this IDS, he/she is requested to contact the undersigned. If it is determined that this IDS has been filed under the wrong rule, the PTO is requested to consider this IDS under the proper rule (with a petition if necessary) and charge the appropriate fee to Deposit Account No. 503079, Freescale Semiconductor, Inc.

Respectfully submitted,
Olubunmi O. Adetutu et al.



Michael J. Balconi-Lamica
Attorney for Applicant(s)
Reg. No. 34,291
Tel. 512-996-3839

FREESCALE SEMICONDUCTOR, INC.
Customer Number 23125

Enclosures:



PTO/SB/08
References BG-BK
Other:

SC12752TP

☒

Please type a plus sign (+) inside this box.

Substitute for form 1449A/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT (use as many sheets as necessary)		Complete if Known			
		Application Number	10/687,271		
		Filing Date	October 16, 2003		
		First Named Inventor	Olubunmi O. Adetutu et al.		
		Group Art Unit	2813		
Sheet		of		Examiner Name	Laura M. Schillinger
				Attorney Docket Number	SC12752TP

OTHER PRIOR ART – NON PATENT LITERATURE DOCUMENTS			
Examiner Initials ¹	Cite No. ²	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
	BH	Byeong-Ok Cho <i>et al.</i> , "Tuning the Electrical Properties of Zirconium Oxide Thin Films," <i>Applied Physics Letters</i> , February 11, 2002, Vol. 80, No. 6, pp. 1052-1054.	
	BI	A. L. P. Rotondaro, <i>et al.</i> , "Advanced CMOS Transistors with a Novel HfSiON Gate Dielectric," <i>2002 Symposium on VLSI Technology Digest of Technical Papers</i> , Section 15.2.	
	BJ	Yuji Saito, <i>et al.</i> , "Advantage of Radical Oxidation for Improving Reliability of Ultra-Thin Gate Oxide," <i>2002 Symposium on VLSI Technology Digest of Technical Papers</i> .	
	BK	M. Togo, <i>et al.</i> , "Low-Leakage and Highly-Reliable 1.5 nm SiON Gate-Dielectric Using Radical Oxynitridation for Sub-0.1 μ m CMOS," <i>2000 Symposium on VLSI Technology Digest of Technical Papers</i> .	

Examiner Signature		Date Considered	
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EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation, if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Unique citation designation number. ² Applicant is to place a check mark here if English Language Translation is attached.